

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

ROOT, INC. <i>et al.</i>,)	
)	
<i>Plaintiffs,</i>)	Judge Sarah D. Morrison
)	
v.)	Magistrate Judge Elizabeth Preston Deavers
)	
Brinson Caleb “BC” SILVER, <i>et al.</i>)	Case No. 2:23-cv-00512
)	
<i>Defendants.</i>)	

**MOTION OF RECEIVER, JERRY E. PEER, JR. TO ABANDON
CERTAIN PERSONAL PROPERTY OF DEFENDANT BRINSON CALEB SILVER**

Now comes the Court appointed receiver herein, Jerry E. Peer, Jr., (“Receiver”), by and through his undersigned counsel, and hereby moves this Court for an Order permitting Receiver to abandon the personal property of Defendant, Brinson Caleb Silver, located at 9125 North Bayshore Drive, Miami, Florida 33138. The personal property of Mr. Silver located at the property is of little to no value and would not result in a net gain to the receivership estate if it were to be sold.

Respectfully submitted,

PETERSON CONNERS LLP

/s/ Istvan Gajary
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Counsel for Receiver, Jerry E. Peer, Jr.

MEMORANDUM IN SUPPORT

In accordance with the requirements of this Court’s *Order*, filed May 12, 2023 [Doc. # 99], *Order Appointing Receiver*, filed May 17, 2023 [Doc. # 101], and *Order Amending Order Appointing Receiver*, filed June 7, 2023 [Doc. # 120] (hereinafter collectively “Receiver Order”), Jerry E. Peer, Jr. (“Receiver”), was appointed as Receiver of all monetary and real property assets of Mr. Brinson Caleb Silver, Collateral Damage, LLC and Eclipse Home Design, LLC (hereinafter collectively “Defendants”). Subsequent to his appointment, Receiver and his counsel visited Defendants’ real estate located at 9125 North Bayshore Drive, Miami, Florida 33138 (“Bayshore Property”). Receiver gained access to the Property and took a general inventory of the personal property located therein. In summary, Mr. Silver’s clothing, furniture, and other miscellaneous items were stored at the Bayshore Property.¹ It appeared all personal property had been subjected to normal and daily wear and tear. A cursory review/inventory of the items located at the Bayshore Property revealed there are no assets of value that would warrant liquidation/sale by Receiver.

As a result of the foregoing, Receiver hereby respectfully requests that he be granted authority by this Court to abandon the personal property of Defendant Silver located at the Bayshore Property. Receiver further requests authority to engage a third-party contractor to remove the personal property from the Bayshore Property, for a reasonable fee, prior to the closing of the sale of the Bayshore property.

Respectfully submitted,

PETERSON CONNERS LLP

/s/ Istvan Gajary
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¹ Receiver will provide photographs at the request of the Court or any party to this action.

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Counsel for Receiver, Jerry E. Peer, Jr.

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was filed electronically on this 9th day of February 2024 with the Clerk of Court using the CM/ECF system. Service will be made through the Court's CM/ECF system on all parties and attorneys so registered, and all parties may access this filing through the Court's system.

A copy was also sent by regular U.S.P.S. mail and by electronic mail to the following:

BRINSON CALEB SILVER
BUTLER COUNTY JAIL
Inmate No. 303850
705 Hanover Street
Hamilton, Ohio 45011

COLLATERAL DAMAGE, LLC
c/o BRINSON CALEB SILVER
BUTLER COUNTY JAIL
Inmate No. 303850
705 Hanover Street
Hamilton, Ohio 45011

ECLIPSE HOME DESIGN, LLC
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